IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

TUESDAY, THE NINETEENTH DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MRS JUSTICE T.MEENA KUMARI

&
THE HON'BLE MR JUSTICE P.LAKSHMANA REDDY

WRIT APPEAL NO : 444 of 2000

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 15/10/1999 in WP NO : 11141 OF 1999 on the file of the High Court.)

Between:

1.The Registrar & Secretary, Executive Council, Kakatiya University, Warangal.

2.The Vice Chancellor, Kakatiya University, Warangal.

..... APPELLANT

AND

1. Prof.T.Ravi Prasad, s/o T.V.Subbarao, aged 52 years, Professor in Chemistry & Principal of University College, Kakatiya University, r/o 8-4-19, Srikrishna colony, Warangal District.

.....RESPONDENT

Counsel for the Appellant:Mr.B.Narayana Reddy, S.C. for Kakatiya University.

Counsel for the Respondent No.: MR.P.Prabhakarareddy

The Court made the following :

JUDGMENT (Per the Honourable Smt.Justice T.Meena Kumari)

This writ appeal is preferred by the appellants against the order of the learned single Judge passed in W.P.No:11141 of 1999 on 15.10.1999, by which the writ petition was allowed with the observations made therein.

The appellants are the respondents and the respondent herein is the writ petitioner. He filed the writ petition seeking a direction to declare the proceedings No:675/A2/KU/1999/28, dated 17.5.1999 passed by the 1st appellant in removing the petitioner from the principalship of the University college without notice as arbitrary and illegal and to reinstate the petitioner in the said post. The learned single Judge having observed that in the absence of any regular enquiry, the authorities are not justified in removing the petitioner from the post of principalship, allowed the writ petition. Having aggrieved by the same, the present appeal is preferred by the appellants.

Heard the learned counsel.

We have perused the entire material available on record and the order impugned. The order impugned, dated 17.5.1999 goes to show that with regard to certain irregularities in the Chemistry Department, a Committee under the chairmanship of Prof.A.Sankaraiah was constituted and in that regard, the writ petitioner was asked not to attend to the duties of the Principal till the enquiry is completed. It further goes to show that on the report submitted by the Council, the petitioner was removed from the post of Principalship of the University College. From this, it can be said that no regular departmental enquiry has been conducted while passing the order impugned, so that the petitioner is deprived of his opportunity to defend the alleged irregularities and therefore, it amounts to violation of principles of natural justice as rightly observed by the learned single Judge. Therefore, We are of the view that the learned single Judge, is justified in setting aside the order impugned while giving

liberty to the appellants to proceed against the writ petitioner in accordance with law. Hence, We see no merits in this appeal and the same is liable to be dismissed.

Accordingly, this appeal is dismissed. No costs.

(T.MEENA KUMARI, J)

(P.LAKSHMANA REDDY, J)

19TH JULY, 2005

GURC.

COPIES TO

1.TWO C.D. COPIES.

2.The Registrar & Secretary, Executive Council, Kakatiya University, Warangal.

3.The Vice Chancellor, Kakatiya University, Warangal.

HONOURABLE SMT.JUSTICE T.MEENA KUMARI

&

HONOURABLE SRI JUSTICE P.LAKSHMANA REDDY.

WRIT APPEAL NO:444 OF 2000

(Order delivered by the Honourable Smt.Justice T.Meena Kumari)

DATED 19TH JULY, 2005.